IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 374 OF 2002

Shri Mahajan Mattu Prajapati ... . Petitioner
V/s
Dnyanodaya Vidyamandir (Hindi Primary) & Ors... ..... Respondent.

Mr.R.S.Apte with M.S.Lagu, Adv. for the petitioner.

Mr.R.D.Rane, Govt. Pleader for respondents 4, 5 & 7.

Mrs.D.Chavan for respondent No.8.

None for respondents 1 to 3 6 & 9.

CORAM: V.G. PALSHIKAR,

Ag.C.J.

AND

SMT.NISHITA MHATRE,

J.

31.01.2006.

PC:

By this petition the petitioner challenges the order dated 27.3.2000 whereby the petitioner was put under suspension of his service. Along with him the D.Ed. Certificate which he acquired on passing D.Ed. Examination was also cancelled and therefore the cancellation is also impugned.

2. During the pendency of this petition the order of suspension is revoked and the petition is reinstated. As a fact it is found that the mark sheet of the petitioner was correct and was not in any manner in genuine. The mark sheet having been held genuine and proper the basis of order cancelling the D.Ed. Certificate stand destroyed. Consequently a direction is liable to be issued directing the respondent 6-Board to cancel or withdraw the order cancelling the D.Ed. Certificate of the petitioner as the mark sheet is held to be valid. Other prayers do not survive in view of the reinstatement of the petitioner. The D.Ed. Certificate and other documents, after the order of withdrawal is passed, be returned to the petitioner.

3. Petition accordingly stands disposed of.